## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Atty. Docket No.:

001701.00241

Tamio IKEHASHI et al.

Serial No.:

10/665,019

Group Art Unit:

2818

Filed:

September 22, 2003

Examiner:

Nguyen, V.

For:

READ CIRCUIT OF NONVOLATILE

SEMICONDUCTOR MEMORY

Confirmation No.:

5703

Attn: Nguyen, V.

Fax No.:

703-872-9318

Buc

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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional) 001701.00241

In re Application of: Tamio IKEHASHI et al.

Application No. 10/665,019 Filed: September 22, 2003

For: Read Circuit of Nonvolatile Semiconductor Memory

The owner Kabushiki Kaisha Toshiba of 100 percent interest in the Instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,674,668. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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The undersigned is an attorney of record.

Signature Date

Gary D. Fedorochko for Joseph M. Potenza, Reg. No. 28,175

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FEE TRANSMITTAL								Complete if Known							
								Application Number 10/665,019							
for FY 2004									Filing Date September 22, 2003						
Effective 10/01/2003. Petent less are subject to annual revision.								First Named Inventor Tamto IKEHASHI et al.							
							Examiner Name Nguye				an, V.				
Applicant claims small entity status. See 37 CFR 1.27							Art Unit 2818								
TOTAL AMOUNT OF PAYMENT (\$) 110							Attorney Docket No. 001701.00241								
METHOD OF PAYMENT (check all that apply)							FEE CALCULATION (continued)								
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